

ATTORNEY DOCKET NO. 20000389.ORI (ANSI01-00009)
U.S. SERIAL NO. 09/670,062
PATENT

REMARKS

Claims 1-29 are pending in the application.

Claims 1-17 have been rejected.

Claims 18-29 are withdrawn from consideration.

Claims 1, 5, 7, 9, 14 and 16 have been amended, as set forth herein.

New Claims 30-32 have been added.

Reconsideration of the Claims is respectfully requested.

Claims 5, 7, 14 and 16 have been amended solely to correct some noted informalities and for clarification purposes.

I. REJECTION UNDER 35 U.S.C. § 102

Claims 1-17 were rejected under 35 U.S.C. § 102(b) as being anticipated by Winkler (US 5,417,208). The rejection is respectfully traversed.

A cited prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. MPEP § 2131; *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). Anticipation is only shown where each and every limitation of the claimed invention is found in a single cited prior art reference. MPEP § 2131; *In re Donohue*, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985).

ATTORNEY DOCKET NO. 20000389.0RI (ANSI01-00009)
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With respect to independent Claim 1 (and dependent Claims 2-8), Winkler fails to disclose Applicant's medical lead wherein the insulator includes at least one welding region defined by an area where insulating material is removed to expose at least a portion of the at least one conductor, with the band welded to the conductive pad within the welding region to electrically connect the band to the conductor. (emphasis added). See, Claim 1, as amended. Winkler does not disclose that the band is welded to the conductive pad within the welding region, as the Winkler band (53) does not appear to make contact with the ribbon (51) in the welding region (as defined by Applicant's Claim 1), and thus is not capable of welding within the welding region.

With respect to independent Claim 9 (and dependent Claims 10-17), Winkler fails to disclose Applicant's medical lead a lead body wherein the elongated conductive element has a distal end and a proximal end, with the proximal end electrically connected to the conductor within the welding region and the distal end welded to the band. (emphasis added). See, Claim 9, as amended. Winkler does not disclose that the band is welded to distal end of an elongated conductive pad, as the Winkler ribbon (51) is wrapped completely one turn and back upon itself. Col. 6, line 51 - Col. 7, line 4. Therefore, the distal end of the ribbon (51) does not appear to make contact with the band (53) and thus is not capable of having the distal end of the ribbon (51) welded to the band.

Accordingly, the Applicant respectfully requests the Examiner withdraw the § 102(b) rejection of Claims 1-17.

II. NEW CLAIMS 30-32

ATTORNEY DOCKET No. 20000389.ORI (ANSI01-00009)
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~~Now, Claims 30-32 have been added.~~ For the reasons stated above with respect to independent Claim 1, Applicant asserts that these new Claims 30-32 are patentable over the cited art.

III. CONCLUSION

As a result of the foregoing, the Applicant asserts that the remaining Claims in the Application are in condition for allowance, and respectfully requests an early allowance of such Claims.

ATTORNEY DOCKET NO. 20000389.0RI (ANSI01-00009)
U.S. SERIAL NO. 09/670,062
PATENT

If any issues arise, ... [redacted] Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at rmccutcheon@davismunck.com.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

Respectfully submitted,

DAVIS MUNCK, P.C.

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Robert D. McCutcheon
Registration No. 38,717

Docket Clerk - DM/ANSI
P.O. Box 802432
Dallas, Texas 75380
(972) 628-3632 (direct dial)
(972) 628-3600 (main number)
(972) 628-3616 (fax)
E-mail: rmccutcheon@davismunck.com